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Anne E. Barschall

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application Ser. No.: 09/868,375 Group Art Unit: 2174

Filing Date: 6/18/2001 Examiner: T. T. Vu

Attorney Docket Number PHN 17,707 Inventor Name(s): ANDREWS ET AL.

Title: INFORMATION PROCESSING DEVICE

Commissioner for Patents
P.O. Box 1450
Alexandria VA 22313-1450

REQUEST UNDER 37 CFR 41.33 (d)(1)

Sir:

Appellants hereby request entry of additional evidence under rule 41.33(d)(1). Appellants enclose a copy of Moise & Downs, Geometry (Addison-Wesley 1967) pp. 56-57. This high school geometry text goes to the meaning of the phrase "in a plane," which appears in claim 23, the rejected independent claim.

The Examiner argues that the phrase "in a plane" means the same as "with respect to a plane," per the Flutka reference. The Examiner further argues that the phrase "in a plane," does not necessarily imply "parallel to a plane."

Appellants respectfully submit that the enclosed text proves that the Examiner's interpretation of language is wrong. The use of the circled phrase in context on page 56 of this book proves that the phrase "in a plane" does not mean the same as "with respect to a plane." The phrase "in a plane" means literally what it says IN a plane, namely coplanar. When the claim language says that the screen is for use in a horizontal plane, it cannot be interpreted to mean parallel to a plane or with respect to a plane, but that the horizontal plane contains the screen.

This evidence could not have been submitted earlier, because the undersigned was only able to retrieve it from her childhood home in Wisconsin during a visit there after filing of the notice of appeal. The pages come from the high school geometry textbook used by the undersigned years ago.

Since the submitted evidence overcomes all of the rejections, it therefore satisfies 37 CFR 41.33 (d)(1) .

Alternatively, if the request under CFR 41.33 (d)(1) is not granted, Appellants hereby petition to suspend the rules to the extent to allow entry of the enclosed pages from the high school geometry textbook of the undersigned.

Please charge any fees other than the issue fee to deposit account 14-1270. Please credit any overpayments to the same account.

CERTIFICATE OF MAILING

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Respectfully submitted,

By _____
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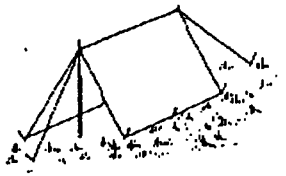
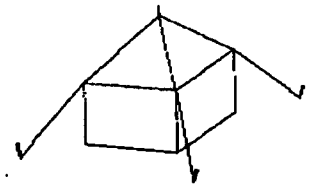
Date of printing: September 15, 2005

6. In this sketch of a pup tent, what line segments must you imagine in order to complete the outline of the tent? What is the intersection of the planes that contain the two sides of the tent?



7. The tent in this sketch has a square floor. What line segments will complete the outline of the tent?



8. Hold two pencils together by their sharpened ends between your thumb and forefinger. If the pencils represent two intersecting lines, how many planes will contain both these lines?

9. Which sketch do you consider to be a more meaningful picture of a book? How would you have to hold a book so that it would appear as in sketch (a)? as in sketch (b)?

(a) GEOMETRY

(b)

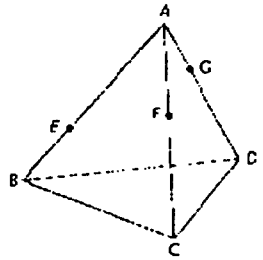
10. A board 8 ft long is marked at its middle, that is, 4 ft from either end. A man carefully saws the board at the mark, yet neither resulting half is 4 ft long. Moreover, the combined lengths of the two half-pieces does not equal the original length of the whole board. How can you explain this?

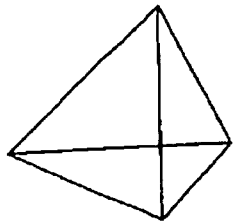
3-2. LINES, PLANES, AND PICTURES

The figure on the left (p. 57) is a picture of a triangular pyramid. The segments $\overline{AB}$, $\overline{AC}$, $\overline{AD}$, $\overline{BC}$, $\overline{BD}$, and $\overline{CD}$ are called its *edges*. Note that the edge $\overline{BD}$ is dashed, because you couldn't see it if the pyramid were solid. If the figure had been drawn as shown on the right, it would look like a set of points lying in a plane.

The points A, E, B, C, and F all lie in a single plane, namely, the plane that contains the upper front face of the pyramid. Such a set of points is called *coplanar*. Of course, the points A, B, C, and D are not coplanar.

The points A, E, and B all lie on a single line, namely, the line $\overline{AB}$. Such a set of points is called *collinear*. Of course, the points A, B, and C do not form a collinear set. Similarly, A, F, and C form a collinear set, but A, F, and G do not.





We now repeat these statements more formally.

Definition

A set of points is *collinear* if there is a line which contains all the points of the set.

Definition

A set of points is *coplanar* if there is a plane which contains all points of the set.

[*Query:* In the figure on the left above, the points E, F, and G are not in any one face of the pyramid. Does it follow that E, F, and G are not coplanar?]

To do geometry under the scheme described in Chapter 1, we need postulates that convey the real meanings of our undefined terms: *point*, *line*, and *plane*. For lines, we have already done this. The Ruler Postulate is a good description of what lines look like when you view them one at a time. We have also said that any two points determine a line, when we stated Postulate 4 on p. 41.

POSTULATE 4. The Line Postulate

For every two points there is exactly one line that contains both points.

We now wish to write postulates that will describe planes and space. Our first step is a postulate which says that figures of the kind that we pictured at the beginning of this section really do occur in our geometry.

POSTULATE 5

(a) Every plane contains at least three noncollinear points.

(b) Space contains at least four noncoplanar points.